BORA LASKIN LAW LIBRARY
3 1761 03328 3391

ECONOMIC INTEGRATION:

LESSONS FROM THE EUROPEAN COMMUNITY

Cases and Materials

VOLUME II

Faculty of Law
University of Toronto
Spring Term 1996

Prepared by: *Sandra Walker*
Blake, Cassels & Graydon

AWW-1573
BORA LASKIN LAW LIBRARY
DEC 20 1995
FACULTY OF LAW
UNIVERSITY OF TORONTO

BORA LASKIN LAW LIBRARY
UNIVERSITY OF TORONTO

ECONOMIC INTEGRATION:

LESSONS FROM THE EUROPEAN COMMUNITY

Cases and Materials

VOLUME II

Faculty of Law
University of Toronto
Spring Term 1996

Prepared by: *Sandra Walker*
Blake, Cassels & Graydon

Digitized by the Internet Archive
in 2018 with funding from
University of Toronto

https://archive.org/details/economicintegrat02walk

VOLUME II

TABLE OF CONTENTS

I. **FREE MOVEMENT OF PERSONS, THE RIGHT OF ESTABLISHMENT AND THE FREEDOM TO PROVIDE SERVICES**

A. Articles

(a) Wyatt and Dashwood, "Free Movement of Workers" and "The Right of Establishment and the Freedom to Provide Services" 403

(b) Hartley, "Recognition of Qualifications and the Right to Work" 414

B. Case Law

(a) *Reyners v. The Belgian State* 420

(b) *Roland Rutili v. Minister of the Interior* 423

(c) *J. Knoors v. Secretary of State for Economic Affairs* 429

(d) *Elestina Morson and Sewradjie Jhanjan v. State of the Netherlands* 432

(e) *R.V. Immigration Appeal Tribunal and Singh, ex parte Secretary of State for the Home Department* 434

(f) *Ian William Cowan v. Trésor public* 438

(g) *Alpine Investments and the Minister of Finance* 443

II. **E.C. COMPETITION LAW**

(a) Korah, Introductory Guide to EC Competition Law & Practice, Chapters 1, 3, 5 454

III. ARTICLE 85

A. **Case Law on Scope of Agreements, Decisions and Concerted Practices**

(a) *Sandoz v. E.C. Commission* 486

(b) *ICI v. E.C. Commission* 487

(c) *Allgemeine Elektricitäts-Gesellschaft AEG-Telefunken v. E.C. Commission* 491

(d) *Re Kodak* 495

B. **Commentary on Article 85 Application to Restrictive Agreements**

(a) Baden Fuller, "Economic Issues Relating to Property Rights in Trademarks: Export Bans, Differential Pricing, Restrictions on Resale and Repackaging" 498

(b) Gyselen, "Vertical Restraints in the Distribution Process. Strength and Weakness of the Free Rider Rationale under EEC Competition" 507

(c) Joliet, "The Foundation of the Modern Rule" 519

C. **Case Law on Restrictive Agreements**

1. Export Restrictions

(a) *A Bulloch & Co. v. The Distillers Company Limited* (Commission) 526

2. Price Fixing

(a) *Vereeniging Van Cementhandelaren v. E.C. Commission* 540

3. Exclusive Distribution

(a) *La Technique Minière v. Maschinebau Ulm G.m.b.H.* 543

(b) *Etablissements Consten S.A. and Grundig-Verkaufs-GmbH v. E.C. Commission* 548

4. Exclusive Purchase

(a) *Delimitis v. Henninger Bräu AG* 580

IV. ARTICLE 86

A. Commentary

(a) Zanon di Valgiurata, "Price Discrimination under Article 86 of the EEC Treaty": The United Brands Case" 587

1. Case Law

(a) *Re the United Brands Company* (Commission) 599

(b) *United Brands Company and United Brands Continental BV v. the Commission of the European Communities* (ECJ) 608

(c) *The Community v. Hoffman-La Roche* 623

(d) *Centre Belge d'Etudes de Marche-Télémarketing S.A. v. Compagnie Luxembourgeoise de Télédiffusion S.A. and Information Publicité Benelux S.A.* 629

(e) *General Motors Continental N.V. v. Commission* 637

(f) *Hugin Kassaregister AB and Hugin Cash Registers Limited v. E.C. Commission* 640

(g) *AB Volvo v. Erik Veng (UK) Ltd.* 642

(h) *Radio Telefis Eireann (RTE) & Anor v. EC Commission* 646

V. TREATY ON EUROPEAN UNION 656